

Amendments to the Drawings:

The drawing sheets attached in connection with the above-identified application containing Figures 1-4, 5a, and 5b are being presented as new formal drawing sheets to be substituted for the previously submitted drawing sheets. Figures 1-4, 5a, and 5b have been amended. Appended to this amendment are annotated copies of the previous drawing sheets which have been marked to show the changes presented in the replacement sheets.

The specific changes which have been made to Figure 1 are the reference numerals, their corresponding leader lines, and the figure label have been redrawn and repositioned.

The specific changes which have been made to Figure 2 are the reference numerals, their corresponding leader lines, and the figure label have been redrawn and repositioned and Figure 2 has been repositioned away from Figure 3 on the drawing sheet.

The specific changes which have been made to Figure 3 are the reference numerals, their corresponding leader lines, and the figure label have been redrawn and repositioned and Figure 3 has been repositioned away from Figure 2 on the drawing sheet.

The specific changes which have been made to Figure 4 are the reference numerals, their corresponding leader lines, and the figure label have been redrawn and repositioned.

The specific changes which have been made to Figure 5a are the reference numerals, their corresponding leader lines, and the figure label have been redrawn and repositioned and Figure 5a has been repositioned away from Figure 5b on the drawing sheet.

The specific changes which have been made to Figure 5b are the reference numerals, their corresponding leader lines, the figure label, and the subtitle "Section A-A" have been redrawn and repositioned and Figure 5b has been repositioned away from Figure 5a on the drawing sheet.

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. After amending the claims as set forth above, claims 19-37 are now pending in this application.

Applicants wish to thank the Examiner for the careful consideration given to the claims.

Drawings

An objection has been made with relation to the drawings because “the line quality is generally poor and unacceptable.” (Page 2 of the Office Action.) The Office Action does not specify what it is about the line quality that is objectionable. However, Applicants believe the objection is related to the reference numerals, their corresponding leading lines, and the figure labels. The drawings have been amended to make these elements more readable. For at least these reasons, favorable reconsideration of the objection is respectfully requested.

Specification

An objection has been made with respect to the abstract because “it does not avoid using phrases which can be inferred, such as ‘The invention relates to.’” (Page 3 of the Office Action.). The Abstract has been amended to address this objection. For at least this reason, favorable reconsideration of the objection is respectfully requested.

Claim objections

An objection has been made with respect to the claims for various informalities. The claims have been amended to address these informalities. For at least this reason, favorable reconsideration of the objection is respectfully requested.

Rejection of claims 22-24, 29, and 36 based on 35 U.S.C. 112

Claims 22-24, 29, and 36 are rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite because of the term “a longitudinal axis” in claims 22-24 and 36 and the phrase “two air ducts guided from bottom to top of the insertion part” in claim 29. Claims 22-24 and 36 have been amended to recite “a longitudinal axis of the insertion part.” Claim 29 has been amended to recite “two air ducts formed in the insertion part such that the two air ducts run from a bottom side of the insertion part to a top side of the insertion part.” For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Rejection of claims 19-34 and 36-37 based on Behr

Claims 19-34 and 36-37 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by DE 199 09 663 (“Behr”). For at least the following reasons, this rejection is traversed.

Claim 19 (as amended) recites among other things, a housing which comprises a plurality of housing segments. At least one of the housing segments is an insertion part which comprises at least one functional unit, with at least one means for air conduction, a warm air feed, a cold air feed, at least one mixer valve, or any combination thereof. The insertion part can be inserted into a recessed receiving space in a remainder of the housing of the heating and/or air conditioning system such that a first plurality of external wall portions of the insertion part abut internal wall portions of the receiving space and such that a second plurality of external wall portions of the insertion part immediately adjacent to and bordering with portions of an external wall of the remainder of the housing will form an exterior surface of the housing along with the immediately adjacent and bordering portions of the external wall of the remainder of the housing. The housing is configured to be installed on or about an obstacle that runs through the receiving space between the insertion part and the remainder of the housing. Behr does not teach or suggest this combination of features.

For instance, Behr does not teach or suggest an insertion part that can be inserted into a recessed receiving space in a remainder of the housing of the heating and/or air conditioning system such that a first plurality of external wall portions of the insertion part abut internal wall portions of the receiving space. The PTO asserts that the module 16 of Behr is considered the insertion part of claim 19 while the module 18 of Behr is considered to be the remainder of the housing of claim 19. (Page 4 of the Office Action.) However, the module 16 is not inserted into a receiving space in the module 18 because module 18 does not have a recessed receiving space that accepts the module 16. Indeed, Behr discloses that the module 16 and the module 18 are connected with each other along a dividing level 20. (Column 2, lines 30-36 and Fig. 1 of Behr.) The module 16 of Behr is not inserted into a recessed portion of the module 18 as outlined in claim 19. Because Behr does not teach the insertion part or the recessed receiving space of claim 19, claim 19 is allowable.

Furthermore, Behr does not teach a housing configured to be installed on or about an obstacle that runs through the receiving space between the insertion part and the remainder of the housing. As previously mentioned, the module 18 of Behr does not have a recessed

receiving space in which the module 16 can be inserted such that a first plurality of external wall portions of the insertion part abut internal wall portions of the receiving space. Because Behr does not disclose the recessed receiving space, Behr necessarily does not disclose an obstacle that runs through the receiving space. The PTO asserts that the cross member 70 is considered to be the obstacle of claim 19. (Page 4 of the Office Action.) However, the cross member 70 is not in any recessed receiving space of module 18 in which module 16 can be inserted. Because Behr does not teach or suggest the obstacle of claim 19, claim 19 is allowable.

Claim 31 (as amended) recites, among other things, a housing which comprises a plurality of housing segments. At least one of the housing segments is an insertion part. The insertion part can be inserted into a recessed receiving space in a remainder of the housing of the heating and/or air conditioning system such that a first plurality of external wall portions of the insertion part abut internal wall portions of the receiving space and such that a second plurality of external wall portions of the insertion part adjacent to portions of an external wall of the remainder of the housing will form an exterior surface of the housing along with the adjacent portions of the external wall of the remainder of the housing. The insertion part comprises two mixing flaps for thermally controlling air. The remainder of the housing comprises two inlet openings and two discharge openings. Behr does not teach or suggest this combination of features. For example, Behr does not teach or suggest an insertion part that can be inserted into a recessed receiving space in a remainder of the housing of the heating and/or air conditioning system such that a first plurality of external wall portions of the insertion part abut internal wall portions of the receiving space. As previously mentioned, the module 18 of Behr does not have a recessed receiving space in which the module 16 can be inserted such that a first plurality of external wall portions of the insertion part abut internal wall portions of the receiving space. Because Behr does not teach or suggest this feature, claim 31 is allowable.

Claims 20-30, 32-34, and 36-37 depend from and contain all the features of claim 19 or 31, and are allowable for the same reasons as claim 19 or 31, without regard to the further patentable features contained therein.

For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Rejection of claim 35 based on Behr and Zexel

Claim 35 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Behr and JP-09-132023 (“Zexel”). Claim 35 depends from and contains all the feature of claim 31. As previously mentioned, Behr does not teach or suggest an insertion part that can be inserted into a recessed receiving space in a remainder of the housing of the heating and/or air conditioning system such that a first plurality of external wall portions of the insertion part abut internal wall portions of the receiving space. In particular, the module 18 of Behr does not have a recessed receiving space in which the module 16 can be inserted such that a first plurality of external wall portions of the insertion part abut internal wall portions of the receiving space. Zexel does not cure these deficiencies. Accordingly, no combination of Behr and Zexel teaches or suggests all the features of claim 31, and claim 31 and its dependent claim 35 are allowable. For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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